

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte DOUGLAS R. SWARTS

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Application No. 10/693,719  
Technology Center: 3700

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Mailed: February 23, 2010

Before JOYCE GUNTER-RILEY, *Review Team Paralegal*  
GUNTER-RILEY, *Review Team Paralegal*.

ORDER VACATING RETURN TO EXAMINER

On September 14, 2009, an Order Returning Undocketed Appeal to Examiner was mailed, stating that a Prior Return Order requesting correction be made in reference to adding the Schoelhorn 6,607,009.

However, the 1449 have been located which did reference Schoelhorn in the IFW file. The applicant filed a paper on January 21, 2005, in which the 1449 was attached.

Therefore, the return is in error.

Application 10/693,719

Accordingly, it is

**ORDERED** that the Order Returning Undocketed Appeal to Examiner mailed September 14, 2009, is herein vacated.

The application will be assigned an Appeal No. and will be assigned to a merit panel in due course.

/jgr/

HEIMLICH LAW  
5952 DIAL WAY  
SAN JOSE CA 95129